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Sonia C. Daniels
Docket Manager
AT&T Communications of the South Central States
1200 Peachtree St., N.E.
Suite 8100
Atlanta, GA 30309

May 12, 2006

RE: Case No. 2006-00117

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure

Sonia C. Daniels
Docket Manager
AT&T Communications of the South
Central States
1200 Peachtree St., N.E.
Suite 8100
Atlanta, GA 30309

Harry Clinton Fentress
P.O. Box 65
McDaniels, KY 40152

legal knowledge or legal advice, whether of representation, counsel or advocacy in or out of court, rendered in respect to the rights, duties, obligations, liabilities, or business relations of one requiring the services.” Kentucky Supreme Court Rule 3.020. It includes, as Kentucky's highest court held in Kentucky State Bar Association v. Henry Vogt Machine Co., 416 S.W.2d 727 (Ky. 1967), the representation of a corporation before a state administrative agency.

As to its own proceedings, this Commission has adopted a similar position and has required that those representing the interests of others before us be licensed attorneys. In a previous case, this Commission ordered that:

[A]ny attorney who is not licensed to practice in the State of Kentucky and who seeks to represent a client or employer before this Commission, must engage a member of the Kentucky Bar Association. It logically follows that if an unlicensed attorney may not represent a client before this Commission, neither may a layman.

Administrative Case No. 249, Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky (Ky. PSC June 15, 1981) at 2.

Commission regulations concerning formal complaints incorporate, at least in part, these sentiments. 807 KAR 5:001, Section 12(2), states in part: “Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address.” The regulation requires that an attorney represent a corporation or other organization from the outset of a complaint proceeding.¹

Based on the above, the Commission finds that Mr. Fentress’s complaint fails to comply with Kentucky law and should not be accepted for filing. We further find that Mr.

¹ See Charles B. Looney v. Harrison County Water Association, Case No. 1999-00284 (Ky. PSC Aug. 11, 1999); Robert Hatfield v. Bath County Water District, Case No. 1999-00436 (Ky. PSC Dec. 6, 1999).

Fentress, by and through an attorney licensed to practice law in the State of Kentucky, should be permitted to file a complaint that complies with 807 KAR 5:001 within 20 days of the date of this Order. If Mr. Fentress fails to submit a timely amended complaint that complies with this administrative regulation, this case will be dismissed. Additionally, any submissions made by AT&T should be filed by an attorney licensed to practice law in Kentucky.

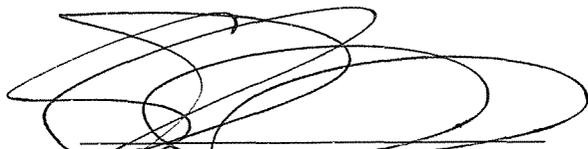
IT IS THEREFORE ORDERED that:

1. The complaint of Mr. Fentress is rejected.
2. Within 20 days of the date of this Order, Mr. Fentress may submit a complaint that complies with 807 KAR 5:001. Failure to submit a timely complaint that complies with this administrative regulation shall result in the dismissal of this case without prejudice.
3. Any submission made by AT&T shall be filed by and through an attorney licensed to practice law in Kentucky.

Done at Frankfort, Kentucky, this 12th day of May, 2006.

By the Commission

ATTEST:



Executive Director

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Clinton Feunress Agent Addressee

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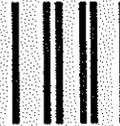
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